



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUN 29 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

Ms. Shelley A. Espinoza
HSE Advisor
Baker Atlas
10205 Westheimer
Houston, TX 77042

Dear Ms. Espinoza:

In response to your earlier request, we have combined exemptions DOT-E 3569 and DOT-E 8971. Both exemptions allow for the use of a non-DOT specification cylinder for the transportation in commerce of Bromine Trifluoride, UN1746.

A copy of DOT-E 8971 (Fourth Revision) is enclosed which incorporates the packaging requirements of DOT-E 3569 (Seventh Revision). The non-DOT specification cylinders authorized and marked under DOT-E 3569 may be used under the terms of DOT-E 8971 until October 31, 2000.

If you have any questions, please do not hesitate to contact me at (202) 366-4535.

Sincerely,

R. Ryan Posten
Exemption Program Officer
Office of Hazardous Materials
Exemptions and Approvals

Enclosure



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DOT-E 8971
(FOURTH REVISION)

EXPIRATION DATE: May 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Baker Atlas
Former Grantee: Western Atlas International, Inc.
Houston, TX
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of Bromine trifluoride, a Division 5.1 material, in certain non-refillable non-DOT specification cylinders of equal or greater integrity than those currently authorized. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101, Column (9B) in that a forbidden material is authorized; and §§ 173.228 and 175.3 in that a non-DOT specification packaging is authorized.
5. BASIS: This exemption is based on the application of Baker Atlas dated February 23, and February 25, 2000, submitted in accordance with § 107.109.

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Continuation of DOT-E 8971 (4th Rev.)

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Bromine trifluoride	5.1	UN1746	I, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are two (2) non-DOT specification non-refillable cylinders as follows:

(1) constructed from not greater than 1 inch inside diameter by at least .344 inch thick side wall SAE 4140 Alloy seamless steel tubing with threaded plug closures at each end. Design rupture pressure, 65000 psi. Maximum volume is 61 cubic inches water capacity. Cylinder must be designed and constructed in accordance with McCullough Tool Company drawing 6110-8-90 Revision A dated October 24, 1972, or NL McCullough drawings 6105-8-90, 6106-8-90, 6108-8-90, 6113-8-90, 6134-8-90 or 6120 (submitted with NL McCullough March 23, 1981, application) on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) constructed from not greater than 2 inches outside diameter by at least .350 inch thick side wall SAE 4140 Alloy steel tubing with threaded plug closures at each end. Maximum volume is 61 cubic inches water capacity. Cylinder must be designed and constructed in accordance with NL McCullough drawing 6115-12 dated January 4, 1982; 6115-122, Rev. O dated November 2, 1982, and P6114-11 submitted on January 14, 1983, and tested as proposed in the application on file in OHMEA or in accordance with NL McCullough's drawing 6115-122 dated February 30, 1972, submitted with NL McCullough's application dated March 13, 1984.

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b. OPERATIONAL CONTROLS -

- (1) Maximum permitted filling density is 75 percent.
- (2) Rupture discs must be rendered non-functional in transportation by installation of shipping plugs.
- (3) Prescribed packaging must be shipped in boxes as described in the application in accordance with § 173.301(k).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING -

- (1) Each non-DOT specification cylinder must be plainly and durably marked "NON-REFILLABLE CYLINDER" in letter at least 1/4 inch high.
- (2) Cylinders, conforming to the packaging specifications and marked "DOT-E 3569", may be used under the terms of this exemption until October 31, 2000.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



for Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

JUN 29 2000

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, 400 7th Street, S.W., Washington, DC 20590, Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: alb/CHHOCHMAN